

# memorandum

DATE: September 18, 2001

REPLY TO  
ATTN OF: Office of Environmental Policy and Guidance (EH-413):Lentzen:67428

SUBJECT: Comprehensive Guideline for Procurement of Products Containing Recovered Materials

TO: Distribution

**PURPOSE** To notify DOE elements that on August 28, 2001, the Environmental Protection Agency (EPA) published a proposed rule in the *Federal Register* (66FR45256) that would amend the May 1, 1995 Comprehensive Procurement Guideline (CPG) for procurement of products containing recovered materials. An accompanying draft Recovered Materials Advisory Notice (RMAN) was also published in this *Federal Register* (66FR45297). EPA has requested public comment on both the proposed rule and draft notice.

**BACKGROUND** Section 6002(e) of the Resource Conservation and Recovery Act (RCRA) requires EPA to designate items that are or can be made with recovered materials, and to recommend practices to assist procuring agencies in meeting their obligations with respect to designated items. After EPA designates an item, RCRA requires that each procuring agency, when purchasing a designated item, to purchase that item composed of the highest percentage of recovered materials practicable.

EPA is proposing an amendment to the CPG by adding the following 11 new items that are or can be made with recovered materials. These include cement and concrete containing cenospheres; cement and concrete containing silica fume; modular threshold ramps; nonpressure pipe; nylon carpet and nylon carpet backing; office furniture; rebuilt vehicular parts; roofing materials; bike racks; blasting grit; and tires. This document also proposes to revise EPA's previous designation for polyester carpet and railroad grade crossing surfaces.

**AVAILABILITY OF PROPOSED RULE** In addition to the published version, the proposed rule can be accessed through the Internet at the following address: [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2001\\_register&docid=01-21567-filed](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2001_register&docid=01-21567-filed). The RMAN can be accessed at: [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2001\\_register&docid=01-21568-filed](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2001_register&docid=01-21568-filed).

**REQUEST FOR COMMENT** EPA requests comments and information on (1) the items proposed for designation and (2) the accuracy of the information presented in the discussions on the basis of the item's designation. Requests for specific comments and information are included in the narrative discussions for each of the 11 designated items. EPA is also requesting comment on the draft RMAN. Based on comments received from DOE elements, EH-41 will prepare a consolidated Departmental response to EPA. Please send your comments by fax or e-mail no later than **October 25, 2001** to Don Lentzen at fax (202) 586-0955 or [donald.lentzen@eh.doe.gov](mailto:donald.lentzen@eh.doe.gov).

**ADDITIONAL INFORMATION** If you have any questions regarding this notice, please contact Don Lentzen by calling (202) 586-7428, or communicating electronically, via Internet, to [donald.lentzen@eh.doe.gov](mailto:donald.lentzen@eh.doe.gov).



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